

**REMARKS**

Applicants submit this Request for Reconsideration After Final in reply to the final Office Action mailed on May 12, 2006.

As an initial matter, Applicants would like to thank Examiner Prone for allowing and conducting the telephonic interview of June 28, 2006. The substantive matters discussed in the interview are incorporated in the remarks set forth below.

In the Office Action, the Examiner rejected claims 1-4, 7-13, 15, 16, 29, 30, 32-34, and 44 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ravenscroft (U.S. Patent No. 5,702,418) in view of Lukic et al. (U.S. Patent No. 5,709,703), and rejected claims 5, 6, 17-21, 23-38, 31, 36-41, and 43 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ravenscroft in view of Lukic et al. and further in view of Lenker et al. (U.S. Patent No. 5,749,921). The Examiner made the rejections final.

Claims 1-13, 15-21, 23-34, 36-41, and 43-44 are currently pending in this application. Of these claims, claims 1, 5, 17, 29, 31, 36, and 44 are independent.

Applicants respectfully traverse the Examiner's rejections of claims 1-4, 7-13, 15, 16, 29, 30, 32-34, and 44 over Ravenscroft in view of Lukic et al. Neither reference, taken alone or in combination, teaches or suggests each and every element of independent claims 1, 29, and 44. In particular, the applied references at least fail to disclose the claimed combination including a catheter having a distal end and a tubular member, a holding sleeve positioned about the tubular member and configured to retain a stent, and an inflatable device positioned about the tubular member and disposed solely between the holding sleeve and the distal end of the catheter.

Ravenscroft discloses a stent delivery system 10 including, among other things, an elongated catheter 11 extending between a proximal handle 12 and a distal end tip 13, an axially extending plastic core 14 having a flexible thin portion 17, and first and second rings 23 attached to the thin portion 17. The rings 23 are configured to be disposed under the stent in a manner that provides support and allows the stent to move with the thin portion 17 of the plastic core 14. Ravenscroft further discloses a balloon 60 to aid in stent expansion. Balloon 60 is configured to underlie a stent 50 between the proximal and distal ends 58 and 59 of the stent 50. See col. 7, lines 10-18, and Fig. 7. In other words, balloon 60 extends beneath the entire length of stent 50.

Ravenscroft, however, fails to disclose a holding sleeve positioned about a tubular member and configured to retain a stent, and an inflatable device disposed solely between the holding sleeve and a distal end of the catheter. Even assuming that the first and second rings 23, collectively or alone, can be construed to read on the claimed "holding sleeve," which Applicants do not necessarily concede, Ravenscroft fails to teach each and every element of independent claims 1, 29, and 44 because balloon 60 is not disposed solely between rings 23 and the distal end of the catheter, as required by independent claims 1, 29, and 44. See Fig. 7 of Ravenscroft.

Having recognized that Ravenscroft "fails to disclose a holding sleeve configured to retain the positioning of the stent, wherein the inflatable device is disposed solely between the holding sleeve and the distal end of the catheter," the Examiner proposes to modify Ravenscroft, with the teachings of Lukic et al., to include pad 14. See May 12, 2006, Office Action at page 3.

Lukic et al. discloses a stent delivery device 1 having, among other things, an elongated sheath 2, an elongated core 5, a stent 7, and a drive means 13 having a pad 14. Pad 14 comprises a soft material that engages a wall 10 of stent 7. See col. 6, lines 30-65.

One having ordinary skill in the art would not be motivated to modify Ravenscroft with the pad 14 of Lukic et al. because Ravenscroft includes structure (i.e., rings 23) that performs the same or similar function of pad 14. Moreover, *assuming arguendo* that one of ordinary skill in the art would be motivated to combine the teachings of Ravenscroft and Lukic et al., which Applicants do not concede, Lukic et al. fails to cure the above-described deficiencies of Ravenscroft. As shown in Figs 1-2, the teachings of Lukic et al. require pad 14 to be placed beneath a stent. Therefore, if pad 14 were to be added to the Ravenscroft device, it would necessarily be placed beneath stent 50, and consequently, beneath balloon 60. The combination of Ravenscroft and Lukic et al. would therefore still fail to disclose an inflatable device disposed *solely* between a holding sleeve and the distal end of a catheter, as required by independent claims 1, 29, and 44.

Accordingly, the Examiner's proposed combination of Ravenscroft and Lukic et al. does not suggest each and every recitation of independent claims 1, 29, and 44, and therefore, claims 1, 29, and 44, and their dependents are allowable over these references.

Applicants respectfully traverse the rejections of claims 5, 6, 17-21, 23-28, 31, 36-41, and 43 over Ravenscroft as modified by Lukic et al. and further in view of Lenker et al. Even if Lenker et al. teaches what the Examiner alleges (and Applicants do not

necessarily agree that it does), this reference fails to overcome the shortcomings of the references discussed above. Accordingly, claims 5, 6, 17-21, 23-38, 31, 36-41, and 43 are allowable at least for the reasons discussed above with respect to Ravenscroft and Lukic et al.

Applicants respectfully request that this Request for Reconsideration After Final under 37 C.F.R. § 1.116 be considered by the Examiner, placing claims 1-13, 15-21, 23-34, 36-41, and 43-44 in condition for allowance. There are no proposed amendments, and thus the application does not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships were earlier claimed in the claims as examined. Therefore, this Request for Reconsideration After Final should allow for immediate action by the Examiner. It is respectfully submitted that the consideration of this Request for Reconsideration After Final would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Furthermore, Applicants respectfully point out that the final Office Action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Request for Reconsideration After Final would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the consideration of this Request for

Reconsideration After Final, the Examiner's reconsideration and re-examination of the application, and the timely allowance of the pending claims.

If the Examiner wishes to discuss this application, he is invited to call the undersigned at 202-408-4140.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

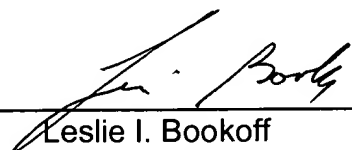
In discussing the specification, claims, and/or drawings in this Request, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Please grant any extensions of time required to enter this Request for Reconsideration After Final and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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